

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 17-49939

DEVIN MONROE MILTON,

Chapter 7

Debtor.

Judge Thomas J. Tucker

/

ORDER DISMISSING CASE

On June 17, 2014, the Debtor, through his attorney Richard Todd Cook, filed a voluntary petition for relief under Chapter 7, commencing Case No. 14-50191. On August 6, 2014, the Court entered an order dismissing that case and barring the Debtor from filing another bankruptcy petition “unless and until the Debtor first pays in full the \$335.00 filing fee for this case” (Docket # 19 in Case No. 14-50191, the “Dismissal Order”). Despite this, on August 1, 2016, the Debtor, through his same attorney Richard Todd Cook, filed another voluntary petition for relief, under Chapter 7, commencing another case, Case No. 16-50813. Because the Debtor had not yet paid the overdue filing fees when he filed that case, the Debtor’s filing of that case was in violation of the bar in the Dismissal Order. For that reason, on August 2, 2016, the Court entered an order dismissing that case (Docket # 3 in Case No. 16-50813). In addition, on September 12, 2016, in Case No. 16-50813, after holding a hearing attended by both the Debtor and his attorney Richard Todd Cook, the Court entered an order entitled “Order Holding Debtor and Debtor’s Attorney Richard Todd Cook In Civil Contempt; Ordering Fines (Suspended Conditionally) Against Debtor and His Attorney; and Barring Debtor from Filing Another Bankruptcy Case Unless and until Debtor Pays in Full The Filing Fee Owing for this Case” (Docket # 14, the “Contempt Order”), which provided, in relevant part:

5. The Debtor is barred from filing any new case under the Bankruptcy Code, and the Clerk is directed not to accept for filing any further bankruptcy petition(s) by or on behalf of the Debtor, unless and until the Debtor first pays in full the \$335.00 filing fee owing for this case.

Despite the bar to refiling in the Contempt Order, on July 7, 2017, the Debtor, through his same attorney Richard Todd Cook, filed yet another voluntary petition for relief, under Chapter 7, commencing this case. Because the Debtor had not yet paid the overdue filing fee for Case No. 16-50813 when he filed this case, the Debtor's filing of this case was in violation of the bar in the Contempt Order.

Accordingly,

IT IS ORDERED that this case is dismissed.

Signed on July 10, 2017



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge